

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present- THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,
Case No. – OA 658 OF 2023**

PRATIMA SAU - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

02
19.02.2024

For the Applicant : Mr. Shahan Shah
Advocate

For the State Respondents : Mrs. Sunita Agarwal
Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

By an order of the Directorate of Health Services dated 26.05.2023, the applicant, Health Assistant (Female) was transferred from Tapsia RH, Jhargram to C.M.O.H., Nandigram HD. Though willing to join her new place of posting, the applicant was however not being released by the C.M.O.H., Jhargram. Praying for early release, the applicant furnished representations before the CMOH, Jhargram.

On being asked why the applicant was not released to allow her to join her new place of posting, Mrs.S.Agarwal, learned counsel submits that due to acute crisis of Health Assistants (Female) in Jhargram, the applicant could not be released.

Having heard the submissions of the learned counsels, and finding no cogent and justifiable reason for not releasing the applicant to facilitate her joining in the new place of posting, the respondent No. 4, the Chief Medical Officer of Health, Jhargram is directed to release the applicant from the present place of posting at Jhargram in terms of the transfer order issued by the Directorate of Health services on 26.05.2023

ORDER SHEET

Form No.

PRATIMA SAU

Vs.

Case No : **OA 658 OF 2023**

THE STATE OF WEST BENGAL & OTHERS.

within four weeks from the date of communication of this order.

As regards shortage of health personnel in his district, the respondent, C.M.O.H. should write to the Directorate and the Department proposing posting of required number of health personnel.

Accordingly, the application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR